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**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Rulemaking for the Purposes of Revising General  
Order 96-A Regarding Informal Filings at the  
Commission.

R. 98-07-038  
(Filed July 23, 1998)

**REPLY COMMENTS OF  
COX CALIFORNIA TELCOM LLC (U-5684-C)  
ON PROPOSED DECISION OF PRESIDENT PEEVEY**

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January 16, 2007

Cox California Telcom, LLC (U-5684-C) (hereinafter “Cox”) hereby submits its reply comments on the proposed decision of President Peevey (the “PD”), mailed on December 11, 2006. These reply comments are submitted in accordance with Rule 14.3(d) of the Commission’s Rules of Practice and Procedure.

Cox agrees with all of the opening comments that commended the Commission for moving to finalize these rules. This has been a long process and the Commission is doing the right thing by creating a complete, coherent set of rules. The opening comments that were filed by a few parties touched on important issues that should be addressed as the rules of GO 96-B are finalized. They should be carefully reviewed by the Commission.

However, in spite of these comments, the fundamental problem of applying the general rules to telecommunications carriers still remains. While a complete, coherent set of rules is a laudable and worthwhile goal, there will be a problem in reaching that result so long as the Commission is moving forward with the ongoing URF proceeding.

In their opening comments, Verizon and AT&T stated the problem quite well:

It would be unnecessarily burdensome to order compliance with the PD’s new requirements if the Commission soon after decides to detariff most retail telecommunications services or otherwise modifies the tariff process to accommodate URF’s expedited 1-day advice letter process. The Commission should therefore coordinate its tariffing requirements in this docket with the URF docket.<sup>1</sup>

Cox agrees with this sentiment. The Commission should not use valuable resources to address these same issues twice, in two different proceedings, perhaps in an inconsistent manner.

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<sup>1</sup> Opening Comments of Verizon California, Inc. and AT&T California, p. 4.

The solution to this simple problem is quite straightforward. The Commission should determine that the general rules of GO 96-B do not apply to telecommunications carriers. It should complete the tariffing and advice letter review process in the URF proceeding and should then, as appropriate, meld the telecommunications rules into GO 96-B.

Accordingly, Cox urges the Commission to defer the application of any portion of GO 96-B to telecommunications carriers until these issues are addressed and resolved in the URF proceeding.

Dated: January 16, 2007

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "J.S. Faber", with a stylized flourish at the end.

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## CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties for which an electronic mail address has been provided, this day served a true copy of the original attached **REPLY COMMENTS OF COX CALIFORNIA TELCOM, LLC (U-5684-C) ON PROPOSED DECISION OF PRESIDENT PEEVEY** on all parties of record in this proceeding or their attorneys of record.

Dated: January 16, 2007 at Lafayette, California.



Joseph S. Faber

Counsel for Cox  
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## CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

Proceeding: R. 98-07-038

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